

# Public Records Distribution Policy and Associated Fees

The St. Johns River Water Management District's Governing Board voted February 8, 2005, to revise its policy on handling public records requests and transferred authority to the District's executive director to establish fees and service charges and to make updates administratively as needed.

Florida public records law sets maximum fees that the District can recoup for duplicating certain types of records in response to public records requests, such as the specific cost for copies on legal- or letter-sized paper. Otherwise, the District must charge the actual cost of duplication but may also set special service charges for labor costs or extensive use of information technology.

Below are excerpts from District Administrative Directive 2005-01 on public records availability and duplication:

## Actual Cost of Duplication

1. The District shall furnish copies of public records upon receipt of payment of the actual cost of duplication or as otherwise provided in chapter 119, Florida Statutes. Charges for the duplication of public records shall be made pursuant to the following schedule:

• Single-sided 8½ inch x 11 (or 14) inch paper	\$0.15 per sheet
• Double-sided 8½ inch x 11 (or 14) inch paper	\$0.20 per sheet
• Audio tapes: 60 minute tapes	\$0.80 per tape
• Video tapes: T-120 / 120 minute	\$1.72 per tape
• Oversized copies: 30 inch x 42 inch	\$3.44 per sheet
• 36 inch x 30 ¼ inch	\$2.99 per sheet
• CD-ROM disk w/ sleeve	\$0.75 per disk
• Certified copy of a record	\$1.00 per record

2. All other records shall be duplicated and made available at the actual cost of duplication, to be determined at the time of the public record request.

## Special Service Charge

1. If the nature and volume of public records requested to be inspected or copied requires: (1) extensive use of information technology resources, as defined in section 119.07(4)(d), Florida Statutes; (2) extensive clerical or supervisory assistance, including administrative, technical, and professional staff required to identify and retrieve requested records; or (3) review for documents that are exempt from disclosure, the District shall charge, in addition to the actual cost of duplication, a reasonable special service charge. This charge shall be based on the cost incurred by or attributable to the District for the extensive use of information technology resources or the labor cost of the personnel, or both, in providing the service.

2. For the purposes of this directive and District Policy 79-17, “extensive” shall mean a time period longer than thirty (30) minutes, which shall include the time necessary to: determine whether the public record exists or is exempt from public disclosure; locate and retrieve the records; review the records for exempt information; duplicate the records, and return the records to their appropriate files.
3. The special service charge shall be estimated at the time of the request and computed to the nearest quarter of an hour exceeding thirty minutes. It shall be based upon the salary schedules listed in the “Special Service Charge Rates” section below, and, where special staff services are required, the current hourly rate of pay for the persons who will perform the service.
4. The District shall determine the appropriate employee(s) for fulfilling a public records request. Whenever possible, staff shall utilize the lowest cost employee capable of responding to the request.

**Special Service Charge Rates:**

1. Staff time charges for all staff involved in filling public records requests shall be charged at their current rate of pay plus the cost of employment benefits, except when fulfilling any of the functions specified under this “Special Service Charge Rates” section, item 2 below.
2. The following hourly rates shall apply for purposes of calculating costs for the following functions:
  - Hourly rate for copying in departments and service centers \$20.05
  - Hourly rate for copying in the District Clerk’s Office \$31.17
  - Hourly rate for copying in the Office of General Counsel \$25.80
  - Hourly rate for review for exempt material \$38.17
  - Hourly rate for e-mail search \$31.17

**Shipping Cost**

1. If the District is requested to ship records in response to a public records request, the District shall charge the actual cost of shipping in addition to the actual cost of duplication and any applicable special service charge. The District Clerk’s Office shall maintain current shipping rate sheets.

**Invoicing and Payment**

1. The District Clerk shall be responsible for preparing invoices and collecting payment for all public records requests received by staff at the District’s headquarters. Each Service Center Public Records Facilitator shall be responsible for preparing invoices and

collecting payment for requests for copies of regulatory files handled at their service center. A copy of all invoices shall be forwarded to the Office of Financial Management at District headquarters. All invoices from service centers shall include documentation of payment.

2. Payment of the cost of duplication charge shall be received before the copy of a public record is provided to the requestor.
3. If a special service charge is imposed, the payment of the charge shall be received prior to District staff rendering the service.
4. The District shall refund any monies deposited in excess of the actual charges incurred to fulfill a request.
5. If the actual cost exceeds the monies deposited, the requestor shall be required to remit additional monies to pay for any such costs prior to receipt of any records pursuant to the request.
6. Public records shall be provided at no charge in the following instances:
  - When requested by a member of the public, if the cost does not exceed \$15.00 during any month.
  - When requested by a members of the Legislature, the Governor's office, or another water management district.
  - When meeting agendas, permitting actions, and proposed rules are furnished by mail to individuals on the interested party lists for District meeting agendas, permitting actions, and rulemaking.
  - When they are rules, forms, or instructions used by the District in dealing with the public.
  - Documents for which there are a predetermined number of copies printed by the District for distribution to the public. However, upon distribution of the predetermined number of printed copies, any further requests for copies of those documents shall be charged at the rates specified herein for duplication.